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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	Civil No. S-91-0768 JAM-JFM
)	
Plaintiff,	)	(Consolidated for all purposes with
v.	)	Civil No. S-91-1167 JAM-JFM)
)	
IRON MOUNTAIN MINES, INC. and)	
T.W. ARMAN,)	
)	
Defendants.	)	UNITED STATES' MOTION TO
	)	AMEND THE JULY 13, 2010
STATE OF CALIFORNIA, On behalf of the	)	ORDER FOR PARTIAL
California Department of Toxic Substances	)	SUMMARY JUDGMENT FOR THE
Control and the California Regional Water	)	UNITED STATES' RESPONSE
Quality Control Board for the Central Valley	)	COSTS
Region,)	
)	
Plaintiff,	)	Date: October 6, 2010
v.	)	Time: 9:30 a.m.
	)	Courtroom No. 6
IRON MOUNTAIN MINES, INC. and)	
T.W. ARMAN,	)	Hon. John A. Mendez
)	
Defendants.)	
)	
AND RELATED COUNTER- AND)	
THIRD-PARTY CLAIMS)	

**UNITED STATES' MOTION TO AMEND THE
JULY 13, 2010 ORDER FOR PARTIAL SUMMARY JUDGMENT FOR
THE UNITED STATES' RESPONSE COSTS**

Pursuant to Fed.R.Civ.P. 60, the United States moves this Court to amend its July 13, 2010 Order (Dkt. 1318, granting partial summary judgment for the United States' unpaid response costs) in two respects: (1) to order the grant of declaratory judgment that the Defendants, T.W. Arman and Iron Mountain Mines, Inc. ("Defendants"), are liable to the United States for additional response costs incurred for environmental cleanup of the Iron Mountain Superfund Mine Site, and for prejudgment interest on those costs, to the extent that those costs have not been, and are not being paid pursuant to the December 8, 2000 Consent Decree settlement; and (2) to clarify that the Consent Decree settlement paid *no* United States' response costs incurred between February 29, 1996, and the date of the December 8, 2000 settlement, and pays only some, but not all, of the "future costs" incurred after the entry of the December 8, 2000 Consent Decree settlement.

On July 28, 2010 by email, counsel for the United States asked counsel for the defendants if the defendants would oppose this motion. Defendants' counsel has not responded.

In support of this Motion, the United States submits a supporting Memorandum.
Dated: July 30, 2010

Respectfully submitted,

/s/ Larry Martin Corcoran
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CERTIFICATE OF SERVICE

I Hereby Certify That, on July 30, 2010, I caused the UNITED STATES' MOTION TO AMEND THE JULY 13, 2010 ORDER FOR PARTIAL SUMMARY JUDGMENT FOR THE UNITED STATES' RESPONSE COSTS, supporting Memorandum, and Proposed Order to be filed electronically using the Court's ECF system, which will send notice of such filings to all registered counsel of record.

/s/ Larry Martin Corcoran
LARRY MARTIN CORCORAN